

Before The
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

EVOLUTIONARY NETWORK DEVELOPMENT)
SERVICE CHANGES, 2006)

Docket No. N2006-1

OFFICE OF THE CONSUMER ADVOCATE
COMMENTS ON PROCEDURAL SCHEDULE FOR REMAINDER OF CASE
(July 21, 2006)

Pursuant to the Presiding Officer's Ruling No. N2006-1/29, July 19, 2006, the Office of the Consumer Advocate hereby provides comments on the remainder of the procedural schedule in this proceeding.

The OCA does not intend to file rebuttal testimony in this proceeding.

The future procedural situation is clouded because the Postal Service has not yet filed essential portions of the END process documentation with the Commission. Several significant documents necessary to fully review the END process will not be filed for several days, if not longer. In addition, the timing for the potential filing and cross-examination of the rebuttal cases of other parties and the possibility of responsive testimony from the Postal Service, both unknown to the OCA, preclude accurate predictions or even suggestions beyond the timing for further discovery related to documents important to this case, but not yet filed.

Most significantly, the RDC documentation for consolidating or re-configuring the "backbone" of the Postal Service network is not yet finalized by the Postal Service management team responsible for its preparation. Although counsel for the Postal

Service indicated that preparation will hopefully be completed during next week (the week of July 24-28), that is by no means certain. Previously in this proceeding, Postal Service counsel has expressed hope the RDC documents would soon be completed; yet they are still not finalized. It is also not clear whether the completion of that “final” review includes final review by all of management for final release. Those documents are essential to this proceeding as currently organized.¹

OCA requests the opportunity for at least two weeks of discovery relating to the RDC documents and other significant materials that the Postal Service has been directed to provide. If the Postal Service had supplied most of the following documents with its filing or when originally requested in this proceeding, several weeks for discovery relating to that material would have already been available to the parties and the additional time for discovery would not be required at this time. Thus, the following documents remain to be filed:

1. The RDC documentation;
2. The “opportunity list” of witness Williams;
3. The slopes and intercepts of the END model requested in OCA/USPS-34(b);
4. The volume map based on optimization outputs;
5. The environmental impact studies at the local level for proposed AMPs; and
6. Responses to POIR No. 5, question 7 and POIR No. 4, question 6.

¹ Alternatively, review of the END program might be segmented, viewing the current documents on file as a proposal under §3661 separate from the RDC process which would require a separate §3661 filing at a later time when the documents are final.

Therefore, the OCA requests an opportunity for at least two weeks of discovery after all of the above documents are filed, or such longer time as is available in the schedule, allowing two weeks for responses and some time for follow-up interrogatories to the responses before further hearings relating to any potential rebuttal testimony.

Respectfully submitted,

April E. Boston
Office of the Commission

Kenneth E. Richardson
Attorney

901 New York Ave., N.W.
Suite 200
Washington, D.C. 20268-0001
(202) 789-6833; Fax (202) 789-6891
e-mail: richardsonke@prc.gov.